



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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February 4, 2000

Ref: 8EPR-EP

VIA FACSIMILE AND MAIL

Bill McMahan, Project Manager
Bureau of Land Management
280 Highway 191 North
Rock Springs, Wyoming 82901

RE: Pinedale Anticline DEIS
CEQ # 990438

Dear Mr. McMahan:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act (CAA), Region 8 of the U. S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the Pinedale Anticline Natural Gas Field Exploration and Development Project in Sublette County, Wyoming. EPA has prepared comments that should be addressed in the Final Environmental Impact Statement (FEIS).

This DEIS analyzes the potential impacts to the human and natural environmental environment resulting from the drilling and operation of 500 to 700 producing natural gas wells located within a 308 square mile area roughly extending from the Jonah II Field on the south to the Town of Pinedale on the north. The project area contains some very unique natural resources including the New Fork and Green rivers, the historic Lander Trail, and riparian areas and wetlands associated with the New Fork and Green rivers.

EPA finds this document to be exceptionally well written and very thorough particularly with respect to the presentation of mitigation alternatives for potential environmental impacts caused by the Pinedale Anticline project. The development, of Sensitive Resource Management Zones (SRMZs) and the identification of significance criteria for environmental



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impacts, allows the public and the decision-maker to evaluate the effectiveness of suggested mitigation measures. These zones were adequately characterized and mapped as to where sensitive receptors occur in the project area.

The inclusion of portions of CEQ regulations in the DEIS gives the public an understanding as to what BLM's authorities are under the National Environmental Policy Act. Page 2-43 of the DEIS states "that all relevant, reasonable mitigation measures that could improve the project are to be identified, even if they are outside the jurisdiction of the lead agency or the cooperating agencies, and would thus not be committed as part of the RODs of these agencies." With this information, the state regulatory agencies, industry representatives and the public gains more insight as to why all reasonable mitigation measures can be freely analyzed in the EIS with the goal of allowing industrial development in the most environmentally responsible manner. For example, the purchasing of NO_x emission reductions by Ultra Petroleum from the Naughton Power Plant has been shown to not only have improvements in regional air quality but also to help reduce the number of days of visibility impairment in the Bridger- Fitzpatrick Wilderness Class I areas.

Appendix F presents the framework for an Adaptive Environmental Management (AEM) Plan. This effort, to our knowledge, will be the first by BLM to develop a process to ensure that environmental impacts in SMRZs will be monitored and, if impacts are considered significant, then new management options would be evaluated. EPA supports the AEM process and would like to see a commitment by BLM to include the process in the ROD. As a result of the annual development review as specified in the AEM Plan, any new management option could be incorporated by BLM into the Application for Permit to Drill.

A few specific comments on the DEIS document are as follows:

1. Table 2-15 "Comparison of Alternative Impacts" should categorize impacts into receptor classes such as air quality, water quality, wildlife, etc. This categorization would help the reader in the comparison of impacts to a specific resource.
2. Table 2-15 should summarize the cumulative visibility impacts in the Class I areas.

3. Table 4-2 “Summary of Federal Lease Stipulations in the Project Area” is not consistent with Table 2-8 “Summary of Mitigation Alternative Requirement”. Specifically, Table 2-8 under “Standard Stipulations Alternative” states for Sage Grouse Leaks “No construction activities would be allowed within 2 miles of sage grouse leks between March 1 and June 30 on Federal lands.” Table 4-2 under Sage Grouse Lek states “Surface use and human activity will not be allowed within ½ mile radius of active leks between midnight and 9 am from March 1 to May 15. Please clarify why the stipulations in Table 4-2 are different from those listed in Table 2-8.
4. Page 4-32, third paragraph states “If drilling occurs during the summer months within 350 feet of occupied dwellings, it is reasonable to conclude that drilling activities could result in sleep disturbance for adjacent residents.” Please evaluate as a Resource Protection Alternative, the option of suspending drilling during the evening hours for residents that complain of noise or fumes due to the proximity of drilling to their residence.
5. Page 4-72. For latent cancer risk, numbers should be rounded to the unit level. For example a risk of 6.4 per million should be reported as 6 per million. In addition, exposures to all of the hazardous air pollutants should be summed to give a total risk. For Table 4-29, please present the reasoning for choosing a 4 mile distance between compressor stations and residences.
6. Page 3-36. Section 3.11 Air Quality and Noise - Please include a windrose representative of the project area so that residents can determine their likelihood of being impacted by air emissions resulting from drilling and operations in their area.
7. Page 3-45, Section 3.14.1 - RMP Management Objective. The watershed management objective is to maintain and enhance water-bodies. Page 3-50 shows Table 3-26 “Classification of Streams within the Project Area”. There is also a statement that “... there is a portion of the New Fork River which is included on Table E of the State of Wyoming’s 303(d) program.” EPA would

like additional information in the FEIS on the monitoring results for the New Fork River, and information about the watershed's current condition. As part of the Adaptive Environmental Management Plan, a water quality monitoring and assessment process will need to be established.

8. Page 3-50. The State of Wyoming appears to be in the process of reclassifying Class 4 surface waters to Class 3. Please define Class 3 surface waters in the FEIS. The water quality conditions of streams, such as the New Fork River, should be known before the final EIS is completed. Water quality monitoring and actions to protect water quality should be addressed in the Adaptive Environmental Management Plan.
9. Page 3-59. Federal mineral ownership and development makes development on private holdings economically feasible. BLM, as the agent of change, needs to examine the direct impacts on wetlands and riparian areas in detail. Only upland rare communities were noted in the document. BLM should investigate spring/seep/groundwater interface areas for rare flora/fauna communities.
10. Page 4-82, Section 4.13. Water resource monitoring and assessment commitments will need to be made a part of the Adaptive Environmental Management process. Wyoming looks at three required elements in their sampling program. These are chemical, physical and biological sampling. These three elements should be included in the BLM surface water monitoring commitments (only chemical and physical were mentioned in the document). Monitoring data should be archived in an accessible national data base such as STORET.
11. Page 4-114, Section 4.17. EPA would like to see a comprehensive monitoring program for water and wetlands in the AEM Plan. The monitoring plan should be developed as a comprehensive plan not as discrete separate plans.
12. Page 4-115, Sales Pipeline. "The impacts to these rivers and wetlands would depend on the crossing technique (open-cut or

boring).” Please explain the difference between an open-cut or boring crossing technique.

13. Page 4-116, RP Alternative on All Lands and Minerals. The concept of avoiding well pad locations within 500 feet of wetlands throughout the project area including private and state lands and minerals needs to be addressed in the Adaptive Environmental Management process with participation by the extra-agency work group including the COE.
14. Page 4-117, Section 4.17.4. “The BLM can impose measures 1 and 3 on Federal lands.” Please explain what these measures are. Are they the same as mitigation opportunities?
15. Page 5-23 It is possible to model for the potential range of sedimentation impacts. There are many reasonable models available, NRCS has several measurement techniques, and there are several hydro-geomorphic methods available. A reasonable estimate of the range of impacts will be needed to plan and monitor for BMPs and mitigation.

Based on procedures EPA uses to evaluate the DEIS and the potential environmental impact of this oil and gas project, the DEIS will be listed in the Federal Register as **LO-1** (Lack of Objections, Adequate. This rating indicates that EPA has not identified any potential environmental impacts requiring substantive changes to the mitigation alternatives. EPA supports the Resource Protection Alternative on All Lands and Minerals and the AEM Plan for monitoring and managing environmental impacts.

Thank you for the opportunity to review and comment on this DEIS. If you have any questions or concerns about our comments on this DEIS, please call me at (303) 312-6228.

Sincerely,

Original Signed By Cynthia Cody

Cynthia Cody, Chief

NEPA Unit
Ecosystem Protection Program

cc: Bill Daniels, BLM Wyoming
Chris Shaver, NPS

